

**City of Miami Beach – Special City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
September 4, 2003**

Mayor David Dermer
Vice-Mayor Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Jose Smith
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

REGULAR AGENDA

R5 - Ordinances

- R5A An Ordinance Amending Chapter 50 Of The City Of Miami Beach Code By Amending Section 50-3 Thereof Entitled "Plans Examination, Inspections, Permits", And By Amending Appendix A Entitled "Fee Schedule", By Amending Sections 50-3(b) Through 50-3(n) Entitled "Chapter 50: Fire Prevention And Protection", Providing For An Increase In Permit And Inspection Fees For Fire Permits And For Other Fire Department Activities; Providing For Repealer, Severability, Codification, And An Effective Date. (Page) **First Reading.** (Page 1)
(Fire Department)
- R5B An Ordinance Amending Chapter 110 Of The City Of Miami Beach City Code Entitled "Utilities," Amending Article IV Entitled "Fees, Charges, Rates And Billing Procedures, Division 2. Rates, Fees and Charges," To Increase The Water Supply Service Charge Imposed By The City; Adjusting The Schedule Of Rates For The Minimum Monthly Water Service Charge; And Increasing The Sanitary Sewer Service Charge Imposed By The City; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading.** (Page 6)
(Public Works)

R7 - Resolutions

- R7A1 A Resolution Adopting :1) The Tentative Ad Valorem Millage Of 7.299 Mills For General Operating Purposes, Which Is Eleven And Eight Tenths (11.8%) Greater Than The "Rolled-Back" Rate Of 6.527 Mills; And 2) The Debt Service Millage Rate Of 0.874 Mills; Further Setting The Second Public Hearing To Consider The Millage Rate For Fiscal Year 2003/04, On Thursday, September 18, 2003 At 5:01 P.M. **5:01 P.M. First Reading, Public Hearing.** (Page 14)
(Finance Department)
- R7A2 A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Adopting Tentative Budgets For The General, Enterprise, And Internal Service Funds For Fiscal Year 2003/04 Subject To A Second Public Hearing Scheduled On Thursday, September 18, 2003 At 5:01 P.M. **5:01 P.M. First Reading, Public Hearing.** (Page 23)
(Finance Department)
- R7B1 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Ad Valorem Millage Of 1.123 Mills For Fiscal Year 2003/04 For The Normandy Shores Local Government Neighborhood Improvement District, Which Is Four And Six Tenths Percent (4.6%) Greater Than The "Rolled-Back" Rate Of 1.074 Mills, Subject To A Second Public Hearing Scheduled On Thursday, September 18, 2003, At 5:02 P.M. **5:02 P.M. First Reading, Public Hearing.** (Page 32)
(Finance Department)
- R7B2 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Operating Budget For Fiscal Year 2003/04 Subject To A Second Public Hearing Scheduled On Thursday, September 18, 2003 At 5:02 P.M. **5:02 P.M. First Reading, Public Hearing.** (Page 39)
(Finance Department)
- R7C1 A Resolution Calling For A Special Election To Be Held On Tuesday, November 4, 2003, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether Article IX Of The City's Related Special Acts Regarding The City's Pension Fund For City Firefighters And Police Officers Should Be Amended To Allow Such Pension Fund Members To Designate A Beneficiary To Receive Optional Survivor Benefits, And To Provide A Lifetime Benefit For Members With A Minimum Ten Year Payment Period As The Normal Form Of Benefit? (Page 44)
(Human Resources)
- R7C2 A Resolution Repealing Resolution No. 2003-25296, Calling For November 4, 2003 Special Election For Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Amending City Of Miami Beach Pension Fund For Firefighters And Police Officers Regarding Designation Of Beneficiary And Normal Form Of Benefit. (Page 44)
(Human Resources)

End of Regular Agenda

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

An ordinance amending Chapter 50 of the City of Miami Beach Code by amending Section 50-3 thereof entitled "Plans Examination, Inspection, Permits" and by amending Appendix A entitled "Fee Schedule" by amending Sections 50-3(b) through 50-3(n) entitled "Chapter 50: Fire Prevention and Protection" providing for an increase for permit fees.

Issue:

Should the Mayor and City Commission adopt on first reading an amendment to increase permit fees by 15%, to recover some of the costs of providing the service and to make them comparable to other municipalities?

Item Summary/Recommendation:

On July 16, 2003, the City's Finance and Citywide Projects Committee agreed with the Administration's recommendation to amend the fire permit fee ordinance by, 1) increasing fees in order to recover some of the cost associated with providing the Fire Department services; and 2) maintain fees in line with what other comparable municipalities are charging for like services.

Advisory Board Recommendation:

The City's Finance and Citywide Projects Commission Committee, on July 16, 2003, directed the Administration to prepare an ordinance increasing the fees by 15%.

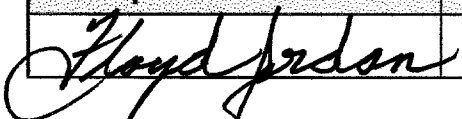
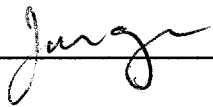
Financial Information:

Source of Funds: <div style="border: 1px solid black; width: 80px; height: 40px; margin: 5px 0;"></div> Finance Dept.		Amount	Account	Approved
	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Floyd Jordan/Sonia Machen

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

Agenda Item R5A
Date 9-4-03

CITY OF MIAMI BEACH

CITY HALL, 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 4, 2003

From: Jorge M. Gonzalez
City Manager

FIRST READING

Subject: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 50 OF THE CITY OF MIAMI BEACH CODE BY AMENDING SECTION 50-3 THEREOF ENTITLED "PLANS EXAMINATION, INSPECTIONS, PERMITS", AND BY AMENDING APPENDIX A ENTITLED "FEE SCHEDULE", BY AMENDING SECTIONS 50-3(b) THROUGH 50-3(n) ENTITLED "CHAPTER 50: FIRE PREVENTION AND PROTECTION", PROVIDING FOR AN INCREASE IN PERMIT AND INSPECTION FEES FOR FIRE PERMITS AND FOR OTHER FIRE DEPARTMENT ACTIVITIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The City Administration recommends that the City Commission approve the ordinance, which amends Chapter 50 of the City Code entitled "Fire Prevention and Protection" by amending Section 50-3 thereof entitled "Plans Examination, Inspections, Permits", and by amending Appendix A thereto entitled "Fee Schedule".

ANALYSIS

On September 16, 1992, Ordinance No. 92-2796 was adopted, which amended Chapter 8 of the City of Miami Beach Code Section 8-3 entitled "Schedule of Permit Fees" providing for an increase of 30% in permit fees. Since the adoption of the said ordinance, for almost 11 years, there have been no increases in permit fees. Since the permit fees have not been increased, the fees currently charged also have not been adjusted for inflation and do not reflect the increased personnel cost, and therefore, the full cost of services provided are not being recovered.

The Consumer Price Index (CPI) has increased 32% between September of 1992 and March 2003. Separately, the City contracted with JRD & Associates, who has analyzed the fire permit fees and compared them to similar fees charged by other municipalities, and has recommended a 15% across the board increase, and where necessary, recommended additional increases to make fees comparable with other municipalities. A 15% increase will yield approximately \$28,000 for each fiscal year, which is still less than the cost of the plan review services.

On July 16, 2003, the City's Finance and Citywide Projects Committee discussed the Fire Department fees and agreed that fees should be increased by fifteen percent. The Committee voted to amend the fire permit fee ordinance by: 1) increasing fees in order to recover some of the cost associated with providing the Fire Department services; and 2) maintain fees in line with what other comparable municipalities are charging for like

services.

In addition to the increase of existing fees, the following fees have been created to recover some of the cost associated with the new construction permitting services.

- The Fire Department conducts plan review, inspection, and testing of new fire alarm systems. However, fees have not been charged for the work performed by the Fire Department. The current fee charged for a fire alarm system is to fund the electrical plan review and electrical inspection, which accounts for approximately ten percent of the work.
- The Fire fee will be as follows:
 - o \$30.00 Fire Alarm Panel
 - o \$3.00 per device (strobe, pull station, speaker, etc.)
 - o Acceptance Test:
 - 1-2 Floors \$50.00
 - 3-5 Floors \$75.00
 - 6 or More \$150.00
- When a contractor requests a Temporary Certificate of Occupancy (TCO), the fire inspector must conduct an inspection in addition to the final inspection. Currently, the Fire Department does not charge for this extra inspection. The Building Department collects a fee equal to 50% of the final Certificate of Occupancy fee, which averages \$250.00. The proposed Fire Department fee would be \$50.00, which is substantially less than the TCO fee charged by the Building Department.

The Administration has drafted an amendment ordinance to the fire permit fees taking all the above recommendations into consideration.

JMG/FJ/SFM

ORDINANCE TO BE SUBMITTED

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

An ordinance amending the City of Miami Beach City Code Chapter 110, entitled "Utilities" amending Article IV, entitled "Fees, Charges, Rates, and Billing Procedures Division 2. Rates, Fees and Charges" to increase the water supply service charge imposed by the City; adjusting the schedule of rates for minimum monthly water service charge imposed by the City; providing for a repealer, severability and an effective date.

Issue:

Shall the City amend the City Code increasing the charges for water and sewer?

Item Summary/Recommendation:

The Miami-Dade County Water and Sewer Department notified the City of a proposed rate increase for wholesale rate for water and wastewater treatment.

The present wholesale water rate charged to the City is \$0.77 per thousand gallons. The proposed increase will raise the wholesale rates to \$0.85 per thousand gallons. The annual increase cost to the City is an estimated \$700,513.

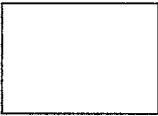
The present average wholesale wastewater rate charged to the City is \$1.66 per thousand gallons. The proposed increase will raise the wholesale average cost of wastewater treatment to \$1.70. The annual increase cost to the City for wastewater treatment is estimated to be \$352,172. Increasing the water and sewer rates in the amounts levied by the County will keep the City water and sewer funds balanced.

Administration recommends adopting the Ordinance.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
<div> Finance Dept.</div>	1	352,172.00	0420 000 337 (Sewer)	
	2	700,513.00	0410 000 336 (Water)	
	3			
	4			
	Total	1,052,685		

City Clerk's Office Legislative Tracking:

Bob Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM

R5B

DATE

9-4-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 4, 2003

From: Jorge M. Gonzalez
City Manager

(FIRST READING)

Subject: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 110 OF THE CITY OF MIAMI BEACH CITY CODE ENTITLED "UTILITIES," AMENDING ARTICLE IV ENTITLED "FEES, CHARGES, RATES AND BILLING PROCEDURES DIVISION 2. RATES, FEES AND CHARGES" TO INCREASE THE WATER SUPPLY SERVICE CHARGE IMPOSED BY THE CITY; ADJUSTING THE SCHEDULE OF RATES FOR THE MINIMUM MONTHLY WATER SERVICE CHARGE; AND INCREASING THE SANITARY SEWER SERVICE CHARGE IMPOSED BY THE CITY; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDS:

Adopt the ordinance.

ANALYSIS:

The rates for water supply and sanitary sewer services consist of a pass-through of the wholesale rate the City pays to the Miami-Dade Water and Sewer Department (WASD) for the purchase of potable water and treatment of sewage; debt service for the Series 2000 Water and Sewer Revenue bonds; operating and maintenance costs for the water and sewer utility; and a 7.5% fee paid to the Miami-Dade County Environmental Resource Management Department (DERM). The monthly minimum service charge for water is based on the meter size and consumption per month as established by Code and will increase to reflect the proposed rate.

The Miami-Dade County Water and Sewer Department notified the City of a proposed increase for wholesale rate for water and wastewater treatment. The present wholesale water rate charged to the City is \$0.7693 per thousand gallons. The increase will raise the wholesale rate to \$0.8500 per thousand gallons. This reflects an increase in the average rate of \$.09 per one thousand gallons. The annual cost increase to the City for wholesale water is an estimated \$700,513.

The average wholesale wastewater rate for the fiscal beginning October 1, 2003 and ending September 30, 2004 is proposed to be an average of \$1.70 per thousand gallons. This reflects an increase to the average rate of \$0.04 per one thousand gallons. The annual cost increase to the City for wastewater treatment is \$352,172.

The City's utility rates are structured to collect the necessary amounts to meet the operating and maintenance cost, the debt service for water and sewer bonds; and other fees assessed by the County. Increasing the water and sewer rates in the amounts levied by the County will keep the City water and sewer funds balanced.

CONCLUSION:

The City Commission should adopt the ordinance.

RTH/FHB/

Attachment

F:\Work\All\Commission Agenda Items\September 10

MIAMI-DADE WATER AND SEWER DEPARTMENT

July 30, 2003

Fred Beckman
Public Works Director
Miami Beach
P.O. Bin 190000
Miami Beach, FL 33119

Re: Proposed Wholesale Wastewater Rates
Fiscal Year 2003-2004

Dear Mr. Beckman:

The Board of County Commissioners will consider a proposal for wholesale and retail wastewater rate adjustments for fiscal year 2003-2004 on September 3, 2003, with the final public hearing scheduled for September 17, 2003, as part of the County's annual budget adoption process. Both hearings will be held at 5:00 P.M., in the Stephen P. Clark Center, 111 N.W. 1st Street, Miami, FL 33128, in the Commission Chambers.

The County's wholesale wastewater rates have not increased since October 1, 1997. The Miami-Dade Water and Sewer Department has been able to keep rates stable through efficiencies in operations and maintenance, and the use of low interest loans from the State of Florida. The Department has also utilized the Rate Stabilization Fund to supplement revenues to meet funding requirements and not raise rates.

The average wholesale wastewater rate for your municipality for the fiscal year beginning October 1, 2003 and ending September 30, 2004, is proposed to be \$1.70 per thousand gallons, with a monthly base fee of \$4.66. The average rate consists of a dry season rate (November 1 - April 30) of \$1.50 and a wet season rate (May 1 - October 31) of \$1.90. The new rates will allow the Department to continue to meet the needs of our customers.


If you require further information, please contact me at 786-552-8104.

Sincerely,


Dana M. Moss, Sr., C.P.A.
Assistant Director - Finance

c: William M. Brant, P.E.
Bonnie Wells
LaWanda Lester
Clive Mamby
Wilson Ross

MIAMI-DADE WATER AND SEWER DEPARTMENT



July 30, 2003

Fred Beckman
Public Works Director
Miami Beach
P.O. Bin 190000
Miami Beach, FL 33119

Re: Proposed Wholesale Water Rates
Fiscal Year 2003-2004

Dear Mr. Beckman:

The Board of County Commissioners will consider a proposal for wholesale and retail water rate adjustments for fiscal year 2003-2004 on September 3, 2003, with the final public hearing scheduled for September 17, 2003, as part of the County's annual budget adoption process. Both hearings will be held at 5:00 P.M., in the Stephen P. Clark Center, 111 N.W. 1st Street, Miami, FL 33128, in the Commission Chambers.

The County's wholesale water rates have not increased since October 1, 1997. The Miami-Dade Water and Sewer Department has been able to keep rates stable through efficiencies in operations and maintenance, and the use of low interest loans from the State of Florida. The Department has also utilized the Rate Stabilization Fund to supplement revenues to meet funding requirements and not raise rates.

The average wholesale water rate for your municipality for the fiscal year beginning October 1, 2003 and ending September 30, 2004, is proposed to be \$0.85 per thousand gallons.

If you have any questions, please contact me at 786-552-8104.

Sincerely,



Dana M. Moss, Sr., C.P.A.
Assistant Director - Finance

c: William M. Brant, P.E.
Bonnie Wells
LaWanda Lester
Clive Mamby
Wilson Ross

ORDINANCE TO BE SUBMITTED

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution adopting: 1) the tentative ad valorem millage of 7.299 mills for general operating purposes which is eleven and eight tenths percent (11.8%) greater than the "Rolled-back" rate of 6.527 mills; 2) the debt service millage rate of 0.874 mills; and 3) setting Thursday, September 18, 2003, at 5:01 p.m., for the second public hearing to consider the millage rate for Fiscal Year 2003/04.

Issue:

Shall the Mayor and City Commission approve the tentative millage, the debt service millage and set the second public hearing for September 18, 2003?

Item Summary/Recommendation:

The Administration recommends adopting the resolution which sets the FY 2003/04 operating millage for general operating purposes, debt service millage, and sets the second public hearing for September 18, 2003.

Advisory Board Recommendation:

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Financial Information:

Source of Funds:		Amount	Account	Approved
<div><div></div><div>Finance Dept.</div></div>	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

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Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM

R7A1

DATE

9-4-03



COMMISSION MEMORANDUM

TO: Mayor David Dermer and
Members of the City Commission

DATE: September 4, 2003

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING: 1) THE TENTATIVE AD VALOREM MILLAGE OF 7.299 MILLS FOR GENERAL OPERATING PURPOSES, WHICH IS ELEVEN AND EIGHT TENTHS PERCENT (11.8%) GREATER THAN THE "ROLLED-BACK" RATE OF 6.527 MILLS; AND 2) THE DEBT SERVICE MILLAGE RATE OF 0.874 MILLS; FURTHER SETTING THE SECOND PUBLIC HEARING TO CONSIDER THE MILLAGE RATE FOR FISCAL YEAR 2003/04, ON THURSDAY, SEPTEMBER 18, 2003 AT 5:01 P. M.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission adopt the attached Resolution which sets the following:

1) Tentatively adopted millage rates for Fiscal Year (FY) 2003/04

General Operating	7.299 mills	(7.299 last year)
Debt Service	<u>0.874</u> mills	(<u>1.023</u> last year)
Total	8.173 mills	(8.322 last year)

- 2) The tentatively adopted combined millage rate of 8.173 mills is 0.149 mills or 1.79% less than the 8.322 combined millage rate for FY 2002/03. While the tentatively adopted operating millage rate of 7.299 mills for FY 2003/04 is equal to the rate for FY 2002/03, state statute requires that we advertise that this rate is 11.8 % greater than the "Rolled-back" rate of 6.527 mills.
- 3) The second public hearing to consider the final millage rates and budgets for FY 2003/04 shall be on Thursday, September 18, 2003 at 5:01 P.M., in the City Commission Chambers, City Hall, 1700 Convention Center Drive.

PROCEDURE

Florida Statutes 200.065 requires that at the conclusion of the first public hearing on the proposed tax rate and budget, the City Commission proceed in the following specific manner:

1. Adopt a tentative ad valorem millage rate for FY 2003/04 operating purposes. This is accomplished by adopting a Resolution that includes the percentage increase or decrease over the "Rolled-back" rate; the required Debt Service millage rate; and, the date, time, and place of the second public hearing.

State statute requires that only the title be read aloud.

2. Adopt a tentative general operating budget for FY 2003/04. Also included, are budgets for the Enterprise and Internal Service Funds. This is accomplished by adopting a companion Resolution. (See accompanying Agenda Item R7A2).

Both the millage and budget Resolutions must be adopted again after a second and final public hearing.

Procedurally, a millage either greater than or less than **7.299** mills may be adopted at this first hearing. However, any millage rate adopted at the end of either the first or second public hearings which exceeds the millage rate of 7.299 mills established on July 30, 2003, and certified to the Property Appraiser, would require **mailing of a revised notice of property taxes to each taxpayer. The notice would be prepared by the Property Appraiser, at the expense of the taxing authority.**

ANALYSIS OF PROPERTY VALUES IN MIAMI BEACH

On July 1, 2003, the City received the "2003 Certification of Taxable Value" from the Miami-Dade County Property Appraiser. It stated that the preliminary gross taxable value of both real and personal property for the City of Miami Beach is \$12,094,161,830, including \$483,118,130 in new construction, which is the largest increase this City has experienced in its recent history.

The preliminary 2003 value represents an increase of 16.5 percent over 2002's final value of \$10,382,919,209. Alternately, the increase is 14.5 percent over 2002's preliminary value of \$10,560,066,688. The difference of \$177,147,479 between 2002's preliminary and final values represents the equalization loss of less than 1.7 percent due to appeals, etc.

The comparative assessed values for the Miami Beach Redevelopment Agency South Pointe redevelopment district increased by \$386,913,776 or 42.0 percent from \$920,742,376 to \$1,307,656,152. The assessed values in the City Center redevelopment district increased \$138,828,548 or 10.2 percent from \$1,359,799,118 to \$1,498,627,666.

DETERMINING THE OPERATING MILLAGE LEVY

The first building block in developing a municipal budget is the establishment of the value of one mill of taxation, wherein the mill is defined as \$1.00 of ad valorem tax for each \$1,000 of property value. For the City of Miami Beach, this value is determined by the 2003 Certification of Taxable Value and has been set at \$12,094,161,830. Florida Statutes permit a discount of up to five percent for early payment discounts, delinquencies, etc. For the City of Miami Beach, the discount utilized is 3.5 percent. Therefore, the 96.5 percent value of the mill is \$11,670,866.

The proposed millage rate of 7.299 mills will generate ad valorem tax revenues of \$85,185,650 (of which \$17,016,674 will be transferred to the Redevelopment Agencies) for a net revenue total of \$68,168,976 in the General Fund. The total amount is \$10,805,446 more than the prior year levy of \$74,380,204, reflecting a 14.5 percent increase. The net General Fund ad valorem budget has increased \$7,118,062 (11.7%) from \$61,050,914 to \$68,168,976.

DETERMINING THE DEBT SERVICE MILLAGE LEVY

The debt service payment for FY 2003/04 is \$10,200,337 and requires a tax rate of 0.874 mills. This rate is 0.149 mills, or fourteen and six tenths percent (14.6%) less than the FY 2002/03 rate of 1.023 mills. This rate includes the debt service of \$62,465,000 of General Obligation Bonds which were sold and closed during July 2003. These bonds represent the final issue of the \$92,465,000 of bonds authorized by the voters in November 1999, completing this authorization.

COMBINING THE OPERATING AND DEBT SERVICE MILLAGE LEVIES

Illustrated below is a comparison of the combined millage rates and ad valorem revenues to the City of Miami Beach for FY 2002/03 (final) and FY 2003/04 (preliminary).

	Tax Rate			Tax Levy		
	FY 02/03	FY 03/04	Inc/(Dec)	FY 02/03	FY 03/04	Inc/(Dec)
General Operating	7.299	7.299	(0.000)	\$73,132,455	\$85,185,650	\$12,053,195
Debt Service	1.023	0.874	(0.149)	10,249,966	10,200,337	(49,629)
TOTAL	8.322	8.173	(0.149)	\$83,382,421	\$95,385,987	\$12,003,566

If these recommended tax rates are tentatively adopted, then the combined tax rate will decrease by 0.149 mills, or 1.79 percent less than the current year. The operating millage will remain constant, and debt service millage will decrease by 0.149 mills, or 14.6 percent.

COMBINING JURISDICTIONAL OPERATING AND DEBT SERVICE MILLAGE LEVIES

City of Miami Beach property owners must also pay property taxes to Miami-Dade County, the Miami-Dade County School Board, the South Florida Water Management District, and the Florida Inland Navigation District. In FY 02/03, the Miami Beach portion of the total tax bill was 33.2 percent. **The proposed millage rates for FY 2003/04 will place the Miami Beach portion of the tax bill to 32.99 percent based on tax rates announced by other jurisdictions.**

Revised FY 2003/04 tax rates may be considered by Miami-Dade County on September 3, 2003. The countywide tax rate will increase to 5.994 mills; the County's debt service will decrease to 0.285 mills. The Library District has announced that the millage will remain at 0.486 mills. While it is not possible to determine the exact amount returned in additional services, it should be noted that Miami-Dade County returned \$10,788,150 during FY 2002/03 in tax-increment funds for the Redevelopment Agency and its two tax-increment districts.

The Miami-Dade County School Board is scheduled to discuss its final tax rate on September 10, 2003, but has tentatively announced a rate of 9.100 mills; a decrease of 0.152 mills. The South Florida Water Management District has proposed no increase from the current rate of 0.697 mills. The South Florida Inland Navigation District has proposed no increase from the current rate of 0.039 mills.

Illustrated below are the current and proposed tax rates for the multiple taxing authorities.

Taxing Jurisdiction	Adopted FY 02/03	Proposed FY 03/04	Inc/(Dec)	% Change	% of Total
Miami Beach					32.99
General Operating	7.299	7.299	0.000	0.00	
Debt Service	1.023	0.874	(0.149)	(14.57)	
Miami-Dade County					27.31
Countywide Operating	5.889	5.964	0.105	1.78	
Library	0.486	0.486	0.000	0.00	
Debt Service	0.390	0.285	(0.105)	(26.92)	
School Board	9.252	9.100	(0.152)	(1.64)	36.73
Other	0.736	0.736	0.000	0.00	2.97
Totals	25.075	24.774	(0.301)	(1.20)	100.00

COMBINED MILLAGE LEVY IMPACT ON THE HOMEOWNER

Amendment 10 to the State Constitution took effect on January 1, 1995 and limited the increase in assessed value of homesteaded property to the percentage increase in the consumer price index (CPI) or three percent (3%), whichever is less. For 2003, the CPI has been determined to be 2.4 percent and therefore, the increase is capped at 2.4 % for increased values as of January 1, 2003. The \$25,000 homestead exemption is applied after the increase in value as follows: assuming that the average residential property in Miami Beach was valued at \$200,000, that value is increased by the 2.4 % percent to a new value of \$204,800. The homestead exemption of \$25,000 is then deducted, yielding a taxable value of \$179,800.

Using the proposed tax rates, that value is then taxed as follows:

Taxing Jurisdiction	Proposed Millage @ 7.299
	<u>0.874</u>
	8.173
Miami Beach	\$13.15
Miami-Dade County	32.46
School Board	17.08
Other	<u>3.52</u>
Totals	<u>\$ 66.21</u>

At the combined proposed millage rate of 8.173, the total dollars for both operating and debt service paid to the City when compared to the prior year's taxable value of \$200,000 and 8.322 millage rate, would increase by \$13.15. The overall taxes would increase by \$66.21. This, of course, assumes that the other taxing jurisdictions adopt these millages.

SECOND PUBLIC HEARING

The second public hearing on the tentatively adopted millage rate and budget for FY 2003/04 must be advertised no later than 15 days after the first public hearing. It is recommended that the second public hearing be set for Thursday, September 18, 2003 at 5:01 P.M., in the City Commission Chambers, City Hall, 1700 Convention Center Drive.

CONCLUSION

The Administration recommends adoption of the attached Resolution which sets both tentative operating and debt service millage rates for FY 2003/04 and establishes a second public hearing to be held on Thursday, September 18, 2003, at 5:01 P. M.

JMG:PDW:JC



RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING: 1) THE TENTATIVE AD VALOREM MILLAGE OF 7.299 MILLS FOR GENERAL OPERATING PURPOSES, WHICH IS ELEVEN AND EIGHT TENTHS PERCENT (11.8%) GREATER THAN THE "ROLLED-BACK" RATE OF 6.527 MILLS; AND 2) THE DEBT SERVICE MILLAGE RATE OF 0.874 MILLS; FURTHER SETTING THE SECOND PUBLIC HEARING TO CONSIDER THE MILLAGE RATE FOR FISCAL YEAR 2003/04, ON THURSDAY, SEPTEMBER 18, 2003 AT 5:01 P. M.

WHEREAS, Section 200.065, Florida Statutes, requires that at the conclusion of the first public hearing on the City's proposed tax rate and budget, the City Commission: 1) adopt a tentative ad valorem millage rate for Fiscal Year 2003/04 operating purposes; and 2) the required Debt Service millage rate; this is accomplished by adopting a Resolution that includes the percentage increase or decrease over the "rolled-back" rate; and

WHEREAS, on July 30, 2003, the City Commission following a duly noticed public hearing, adopted Resolution No. 2003-25300, which set the proposed millage rates at 7.299 mills for general operating purposes, and 0.874 mills for debt service; and

WHEREAS, at this time the Administration would recommend that the City Commission set the second and final public hearing to consider the aforesated millage rates for Fiscal Year 2003/04.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, as follows:

(1) Pursuant to Section 200.065, Florida Statutes, there is hereby levied a tax for the Fiscal Year (FY) 2003/04, on all taxable and non-exempt real and personal property located within the corporate limits of the City of Miami Beach, Florida, as follows:

- (a) For the purpose of operating the government of the City, the rate assigned amounts to 7.299 mills. Also included are appropriate reserves and contingencies, which are not limited to reserves for tax discounts and abatements of uncollected taxes.

The millage rate reflected is eleven and eight tenths percent (11.8%) greater than the "Rolled-back" rate of 6.527 mills.

- (b) For the purpose of providing payment on the principal and interest portions of the General Obligation Bond Debt outstanding, the rate assigned amounts to 0.874 mills.

(2) The tentative adopted millage rates for the City of Miami Beach, Florida for FY 2003/04 are subject to a second and final public hearing, herein set for and to be held at 5:01 p.m., Thursday, September 18, 2003, in the City Commission Chambers, City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

PASSED and ADOPTED this 4th day of September, 2003.

ATTEST:

CITY CLERK

MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

Donald P. [Signature] 8/28/03
City Attorney [Signature] Date

CITY OF MIAMI BEACH NOTICE OF A SPECIAL CITY COMMISSION MEETING



NOTICE IS HEREBY given that a Special Commission Meeting will be held by the City Commission of the City of Miami Beach, on **Thursday, September 4, 2003**, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, at the times listed below.

at 5:01 p.m.:

**A PUBLIC HEARING ADOPTING THE PROPOSED
MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2003/04
FOR THE CITY OF MIAMI BEACH.**

at 5:02 p.m.:

**A PUBLIC HEARING ADOPTING THE PROPOSED
MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2003/04
FOR THE NORMANDY SHORES LOCAL GOVERNMENT
NEIGHBORHOOD IMPROVEMENT DISTRICT.**

In addition, the City Commission may discuss other City business at this meeting.

Inquiries concerning this meeting should be directed to the Office of Management and Budget at (305) 673-7510

Robert E. Parcher, City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).



Ad #202

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THURSDAY, AUGUST 21, 2003 The Herald www.herald.com MB

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution adopting the tentative budgets for the General, Enterprise, and Internal Service Funds for Fiscal Year 2003/04 subject to a second public hearing scheduled on Thursday, September 18, 2003 at 5:01 P.M.

Issue:

Shall the Mayor and City Commission approve the tentative budgets for the General, Enterprise, and Internal Service Funds for Fiscal Year 2003/04 and set a second public hearing for September 18, 2003?

Item Summary/Recommendation:

The Administration recommends adopting the tentative budgets for the General, Enterprise, and Internal Service Funds for Fiscal Year 2003/04 subject to a second public hearing on September 18, 2003.

Advisory Board Recommendation:

Financial Information:

Source of Funds:		Amount	Account	Approved
	1	\$152,362,436	General Fund Operating	
	2	10,200,337	G.O. Debt Service	
	3	17,016,674	RDA Funds-Ad Valorem Taxes	
	4	97,685,205	Enterprise Funds	
	5	37,895,468	Internal Service Funds	
Finance Dept.	Total	\$ 315,160,120		

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7A2
DATE 9-4-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139



COMMISSION MEMORANDUM

TO: Mayor David Dermer and
Members of the City Commission

DATE: September 4, 2003

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING TENTATIVE BUDGETS FOR THE GENERAL, ENTERPRISE, AND INTERNAL SERVICE FUNDS FOR FISCAL YEAR 2003/04 SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON THURSDAY, SEPTEMBER 18, 2003 AT 5:01 P.M.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission adopt the attached Resolution which establishes tentative budgets for the General, Enterprise, and Internal Service Funds for Fiscal Year (FY) 2003/04.

PROCEDURE

As outlined in the companion Agenda Item R7A1, Section 200.065, Florida Statutes specifies the manner in which budgets are adopted. First, the tentative millage rate for both the general operating and debt service is adopted, then immediately thereafter, tentative budgets by fund are adopted. The attached Resolution adopting tentative budgets for the General, Enterprise, and Internal Service Funds for Fiscal Year 2003/04 is therefore presented to you at this time for adoption.

BACKGROUND

On July 30, 2003, the Administration released a Proposed Budget totaling \$152,362,436 for the General Fund balanced with 7.299 mills, exclusive of debt service. This millage maintained current basic service levels, funded operational costs for projects expected to be completed during FY 2004, and funded enhanced service levels. The process to balance this budget was an extremely challenging one. A significant effort was made to balance the needs of the community with those operational costs for decisions made in previous years. The Proposed Budget recommends implementing over \$6.2 million of newly identified efficiencies within the organization generated through reallocation and reduction of current operating expense. Further, 68 positions have been eliminated, 15 of which were filled. Additionally, this budget incorporates approximately \$1.6 million in increases to fees, some of which had not been increased in over 11 years.

As part of the annual budget process, the Administration gave each department a "Core Budget" consisting of current year operating expenses at 95%. Department heads were instructed to look carefully for efficiencies and savings within the current and proposed operations of their Departments in order to meet the Core. Additionally, it was necessary to explore other areas where revenues could be increased and as a result, a number of fees that are paid to the City were reviewed. In doing so, the budget includes a series of increases which bring the fees charged for certain services closer to their actual costs as well as closer to the levels other municipalities in South Florida charge for those services.

The proposed budget included new or increased services in the net amount of \$1.2 million. In the Police Department, several officers will be reassigned to proactive uniform patrol positions throughout the City. One sergeant and four officers have been reassigned from the Criminal Investigations Division, Special Investigations Squad. This transfer will not eliminate the services currently provided, but will enhance specialized field operations. Two officers have also been reassigned from the School Resource Office to assume uniform patrol duties. Their duties as police liaisons to the schools will be assumed by two retired police officers who will be contracted to provide a continued presence in the schools. One sergeant from the Support Services Division will be reassigned to uniform patrol. In addition, fifteen new sworn officers will be funded by the two Redevelopment Areas within Miami Beach as part of our continued community policing initiatives. These efforts will result in a total of twenty three additional sworn uniform officers for the Patrol Division.

The Parks and Recreation Department will undergo a reorganization that will enable the department to be much more responsive and accountable for quality recreation services. A key component of this reorganization is the creation of designated facility managers who will have the responsibility for the management and the offering of services in their respective facilities. The larger City facilities, including the new North Shore Park and Youth Center, the expanded Scott Rakow Youth Center and Flamingo Park will each have their own manager. Each of the facilities will also have additional resources to deliver the services desired and requested by our citizens. The North Shore Park and Youth Center, Normandy Isle Park and Pool and the expanded Scott Rakow Youth Center, will receive approximately \$1.1 million in staff and resources to open and operate under our new structure and service levels. Programming at Fairway, Tatum and Normandy Shores Parks will be eliminated and those resources will be used for the newer expanded facilities. These parks will be used for athletic programs, open field play, and as satellite facilities when needed to accommodate program volume needs from the newer facilities in North Beach. These closings are a conscious effort by the department to effectively manage their resources and provide quality programming throughout the City.

The City's Beach Patrol will be supplemented by a new Park Ranger program which will provide additional security and monitoring of our parks and beaches, improved customer service and enhances public safety. This program will deploy 11 full-time Park Rangers throughout our parks and beaches and two part-time Park Rangers to provide support and relief. These enhancements are being funded through our community policing program

from the Redevelopment Agency and with reallocated security funds from Parks and Recreation. As a result of this program, it is recommended that the City close two lifeguard towers located on 81st and 83rd Streets and shift remaining area lifeguard towers located on 77th, 79th, and 85th Streets to provide coverage in the North Shore Open Space Park. It is also recommended that the Beach Patrol shifts be reduced from ten hours to eight hours during nine months of the year (resulting in a year-round schedule of 5 eight-hour days per week) and that temporary lifeguard positions be reduced.

The Public Works Department will also undergo a reorganization that will streamline the department and the services it provides. As a result, several enhancements are proposed. The Sanitation Division has consolidated litter routes allowing savings to fund two crews that will be dedicated to the operation of the new MadVac XL 600's and replace hand-sweeping crews in residential areas. Mechanization of this function will increase the frequency in these residential areas and allow the Division to reassign hand-sweeping crews to areas currently being cleaned on an as needed basis. This service enhancement continues to make the Division more proactive to litter control around the City. Additional savings will be used to fund the South Beach Service Team Superintendent position; who will act as a link between the business owners and the City of Miami Beach Departments. This enhancement is a vital part of the City's vision to consolidate the customer service core, to restructure the organization to include a middle management layer and ensure the success of the Sanitation, South Beach Service Team.

Additional enhancements in this department include the creation of an additional streetlight maintenance crew to maintain the newly constructed capital projects and provide adequate maintenance and repair of citywide lighting; the establishment of a waterway maintenance drainage system cleaning capability through the use of additional contractual services; continuing the development of an Infrastructure Management System which will integrate all the maintenance efforts within the various divisions of Public Works Department into a centralized maintenance management system; and continuing the development of a City Geographic Information System (GIS) which would provide a detailed layered presentation of all maintenance, construction and infrastructure.

In the Building Department, one Senior Building Inspector has been added to enhance our Building Code Compliance program on a proactive basis. In the Planning Department, one additional Planner and an Office Associate III have been funded to staff the concurrency function that is being transferred from the Public Works Department. An enhancement in the City Clerk's Office will provide full funding of the Secondary Audio Program (SAP) in Spanish which will provide better communication with our Spanish-speaking residents through the live translation of City Commission meetings and various other City meetings on the City's government-access cable channel 20. Additionally, a Code Compliance Officer is being added to provide expanded community interaction in the areas of occupational license, certificate of use and resort tax.

Adopting Tentative Budgets
September 4, 2003
Page four

CONCLUSION

The Administration recommends adoption of the attached Resolution which incorporates the revisions discussed above and establishes tentative budgets for General, Enterprise, and Internal Service Funds for Fiscal Year 2003/04, subject to a second public hearing scheduled on Thursday, September 18, 2003 at 5:01 P.M.

JMG:PDW:JC

A handwritten signature in black ink, appearing to be 'PDW' with a stylized flourish extending from the end.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING TENTATIVE BUDGETS FOR THE GENERAL, ENTERPRISE, AND INTERNAL SERVICE FUNDS FOR FISCAL YEAR 2003/04 SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON THURSDAY, SEPTEMBER 18, 2003 AT 5:01 P.M.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the City of Miami Beach hereby adopts tentative budgets for the General, Enterprise, and Internal Service Funds for Fiscal Year 2003/04 as summarized and listed below, subject to a second public hearing scheduled at 5:01 P.M., Thursday, September 18, 2003.

REVENUES

	GENERAL	RDA	ENTERPRISE	INTERNAL SERVICE	CATEGORY TOTALS
GENERAL OPERATING REVENUES					
Ad Valorem Taxes	\$ 68,168,976				\$ 68,168,976
Ad Valorem Taxes-Normandy Shores	81,758				81,758
Other Taxes	19,443,050				19,443,050
Licenses and Permits	11,003,905				11,003,905
Intergovernmental	11,464,000				11,464,000
Charges for Services	5,925,965				5,925,965
Fines and Forfeits	1,758,677				1,758,677
Interest	2,800,000				2,800,000
Rents and Leases	2,477,385				2,477,385
Miscellaneous	6,080,374				6,080,374
Other-Resort Tax contribution	16,318,450				16,318,450
Other-Non Operating revenues	6,839,896				6,839,896
Subtotal	<u>\$ 152,362,436</u>				<u>\$ 152,362,436</u>
G.O. DEBT SERVICE					
Ad Valorem Taxes	\$ 10,200,337				\$ 10,200,337
Subtotal	<u>\$ 10,200,337</u>				<u>\$ 10,200,337</u>
FUND TOTAL	<u>\$ 162,562,773</u>				<u>\$ 162,562,773</u>
RDA FUNDS					
Ad Valorem Taxes-RDA So.Pointe		\$ 8,653,826			\$ 8,653,826
Ad Valorem Taxes-RDA City Center		8,362,848			8,362,848
FUND TOTAL		<u>\$ 17,016,674</u>			<u>\$ 17,016,674</u>
ENTERPRISE FUNDS					
Convention Center/TOPA			\$ 14,160,053		\$ 14,160,053
Parking			20,715,501		20,715,501
Sanitation			7,055,545		7,055,545
Sewer Operations			28,694,036		28,694,036
Stormwater Operations			7,905,000		7,905,000
Water Operations			19,155,070		19,155,070
FUND TOTAL			<u>\$ 97,685,205</u>		<u>\$ 97,685,205</u>

REVENUES-continued

	GENERAL	RDA	ENTERPRISE	INTERNAL SERVICE	CATEGORY TOTALS
INTERNAL SERVICE FUNDS					
Central Services				\$ 738,003	\$ 738,003
Fleet Management				5,366,265	5,366,265
Information Technology				11,003,795	11,003,795
Property Management				6,685,950	6,685,950
Risk Management				14,101,455	14,101,455
FUND TOTAL				<u>\$ 37,895,468</u>	<u>\$ 37,895,468</u>
TOTAL - ALL FUNDS	<u>\$ 162,562,773</u>	<u>\$ 17,016,674</u>	<u>\$ 97,685,205</u>	<u>\$ 37,895,468</u>	<u>\$ 315,160,120</u>

APPROPRIATIONS

DEPARTMENT/FUNCTION	GENERAL	RDA	ENTERPRISE	INTERNAL SERVICE	CATEGORY TOTALS
MAYOR & COMMISSION	\$ 1,177,053				\$ 1,177,053
ADMINISTRATIVE SUPPORT SERVICES					
CITY MANAGER	1,837,838				1,837,838
Media Relations	234,928				234,928
CITY CLERK	1,322,995				1,322,995
Central Services				\$ 738,003	738,003
FINANCE	3,249,728				3,249,728
Information Technology				11,003,795	11,003,795
Management & Budget	666,514				666,514
HUMAN RESOURCES	1,502,603				1,502,603
Risk Management				14,101,455	14,101,455
Labor Relations	161,247				161,247
INTERNAL AUDIT	319,328				319,328
PROCUREMENT	676,106				676,106
Grants Management	176,225				176,225
CITY ATTORNEY	3,095,528				3,095,528
ECONOMIC DEV. & CULTURAL ARTS					
Economic Development					
ECONOMIC DEVELOPMENT	836,400				836,400
BUILDING	4,568,255				4,568,255
PLANNING	2,287,154				2,287,154
Cultural Arts					
TOURISM & CULTURAL DEVELOP.	674,329				674,329
BASS MUSEUM	1,140,450				1,140,450
Tourism & Conventions					
CONVENTION CENTER/TOPA			\$ 14,160,053		14,160,053
OPERATIONS					
NEIGHBORHOOD SERVICES	3,053,844				3,053,844
PARKING			20,715,501		20,715,501
PARKS & RECREATION	24,920,808				24,920,808
PUBLIC WORKS	5,510,893				5,510,893
Property Management				6,685,950	6,685,950
Sanitation			7,055,545		7,055,545
Sewer Operations			28,694,036		28,694,036
Stormwater Operations			7,905,000		7,905,000
Water Operations			19,155,070		19,155,070
CAPITAL IMPROVEMENT PROGRAM	2,276,274				2,276,274
FLEET MANAGEMENT				5,366,265	5,366,265
PUBLIC SAFETY					
FIRE	28,339,156				28,339,156
POLICE	56,504,946				56,504,946

APPROPRIATIONS-continued					
DEPARTMENT/FUNCTION	GENERAL	RDA	ENTERPRISE	INTERNAL SERVICE	CATEGORY TOTALS
CITYWIDE ACCOUNTS	6,704,034				6,704,034
CITYWIDE ACCOUNTS-Normandy Sh.	125,800				125,800
OPERATING CONTINGENCY	1,000,000				1,000,000
Subtotal	<u>\$ 152,362,436</u>	<u>\$ 0</u>	<u>\$ 97,685,205</u>	<u>\$ 37,895,468</u>	<u>\$ 287,943,109</u>
G.O.DEBT SERVICE					
Debt Service	10,200,337				10,200,337
Subtotal	<u>\$ 10,200,337</u>				<u>\$ 10,200,337</u>
RDA FUNDS					
RDA So. Pointe		\$ 8,653,826			\$ 8,653,826
RDA City Center		8,362,848			8,362,848
		<u>\$ 17,016,674</u>			<u>\$ 17,016,674</u>
TOTAL - ALL FUNDS	<u>\$ 162,562,773</u>	<u>\$ 17,016,674</u>	<u>\$ 97,685,205</u>	<u>\$ 37,895,468</u>	<u>\$ 315,160,120</u>

PASSED and ADOPTED this 4th day of September, 2003.

ATTEST:

CITY CLERK

MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**


City Attorney

8/24/03
Date

CITY OF MIAMI BEACH NOTICE OF A SPECIAL CITY COMMISSION MEETING



NOTICE IS HEREBY given that a Special Commission Meeting will be held by the City Commission of the City of Miami Beach, on **Thursday, September 4, 2003**, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, at the times listed below.

at 5:01 p.m.:

**A PUBLIC HEARING ADOPTING THE PROPOSED
MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2003/04
FOR THE CITY OF MIAMI BEACH.**

at 5:02 p.m.:

**A PUBLIC HEARING ADOPTING THE PROPOSED
MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2003/04
FOR THE NORMANDY SHORES LOCAL GOVERNMENT
NEIGHBORHOOD IMPROVEMENT DISTRICT.**

In addition, the City Commission may discuss other City business at this meeting.

Inquiries concerning this meeting should be directed to the Office of Management and Budget at (305) 673-7510

Robert E. Parcher, City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

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Ad #202

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THURSDAY, AUGUST 21, 2003 The Herald www.herald.com MB

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Ad Valorem Millage Of 1.123 Mills For Fiscal Year 2003/04 For The Normandy Shores Local Government Neighborhood Improvement District, Which Exceeds The "Rolled-Back" Rate Of 1.074 Mills By Four And Six Tenths Percent (4.6%), Subject Of A Second Public Hearing Scheduled On Thursday, September 18, 2003 At 5:02 P.M.

Issue:

Shall the Mayor and City Commission, acting in its capacity as the Board of Directors for the Normandy Shores Local Government Neighborhood Improvement District, adopt the attached resolution which sets the tentative millage and sets the date for the second public hearing.

Item Summary/Recommendation:

The Mayor and City Commission, acting in its capacity as the Board of Directors of the District, should adopt the attached resolution which sets the tentative millage and sets the date for the second public hearing.

Advisory Board Recommendation:

Financial Information:

Source of Funds:		Amount	Account	Approved
<div><div></div><div>Finance Dept.</div></div>	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7B1
DATE 9-4-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 4, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE TENTATIVE AD VALOREM MILLAGE OF 1.123 MILLS FOR FISCAL YEAR 2003/04 FOR THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, WHICH IS FOUR AND SIX TENTHS PERCENT (4.6%) GREATER THAN THE "ROLLED-BACK" RATE OF 1.074 MILLS, SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON THURSDAY, SEPTEMBER 18, 2003 AT 5:02 P.M.**

ADMINISTRATION RECOMMENDATION

The Administration recommends that the Mayor and City Commission, acting in its capacity as the Board of Directors for the Normandy Shores Local Government Neighborhood Improvement District, adopt the attached resolution which sets the following:

- 1) The tentatively adopted millage rate for the Normandy Shores Neighborhood Improvement District for FY 2003/04:

General Operating 1.123 mills (1.194 mills last year)

- 2) The tentatively adopted millage rate of 1.123 mills is 4.6% greater than the "Rolled-back" Rate of 1.074 mills.
- 3) The second public hearing to consider the final Normandy Shores District millage rate and budget for FY 2003/04 shall be at 5:02 P.M., Thursday, September 18, 2003 in the City Commission Chambers, City Hall, 1700 Convention Center Drive.

BACKGROUND

The Normandy Shores Local Government Neighborhood Improvement District, a dependent taxing district of its principal, the City of Miami Beach, was established in 1994 to provide continual 24-hour security to this gated community; FY 2003/04 represents its tenth year of operation.

It was established by Ordinance 93-2881, and has the authority "to levy an ad-valorem tax on real and personal property of up to two mills, provided that no parcel of property will be assessed more than \$500 annually for such improvements". However, on August 29, 2002, the Administration met with the Normandy Shores Local Government Neighborhood Improvement

District representatives and agreed to eliminate the \$500 cap on the highest valued home in the District. The enabling legislation was adopted by the Commission on September 25, 2002. This ensures that the City's contribution from the General Fund remains at 35% of the operating budget of the District.

During FY 1998/99, the amount of annual funding to be provided by the City and the dependent status of the District were issues discussed by the Finance and Citywide Projects Committee. A determination was reached that the City would fund 35% of the annual cost of the operation of the community guard gate. This cost will eventually be funded from the golf course operation of the Normandy Shores Golf Course. The City Attorney's Office is reviewing the issue regarding the dependent status of the District. It was further agreed that the City would continue to supplement the District at current levels until both issues were resolved.

PROCEDURE

The operating millage and budget for this dependent special taxing district must be adopted in accordance with Florida Statutes. This procedure requires that this Resolution be considered immediately after the millage and budget of the principal taxing authority, i.e., City of Miami Beach.

It also prescribes that a tentative millage be adopted first. This is accomplished by adopting a Resolution which states the percent increase or decrease over the "Rolled-back" rate, and the date, time, and place of the second public hearing scheduled to adopt the final millage. Following this, another Resolution which tentatively adopts the Normandy Shores District operating budget must be approved. (See accompanying Agenda item R7B2 for details).

The statute requires the name of the taxing authority, the rolled-back rate, the percentage increase, and the millage rate be publicly announced before adoption of the millage resolution.

ANALYSIS

The tentative ad valorem millage recommended by the Administration is 1.123 mills to provide the level of security required by this District. This tax levy will generate proceeds of \$81,758. The total operating budget to provide security services to this District is \$125,800. This is comparable to the current year end projections. The difference between the revenues which will be generated from ad-valorem tax proceeds and the total budgetary requirement of the District must be supplemented by a contribution from the General Fund in the amount of \$44,042 or 35% of the total operating budget.

The General Fund has funded this difference for each of the nine years since the District was established. The amount provided by the General Fund for this purpose in FY 2002/2003 was \$42,000.

On July 30, 2003, the City Commission adopted Resolution 2003-25301 which set the proposed operating millage rate for the District at 1.123 mills. It must be noted that in accordance with State Statute, there is a 10 mill operating cap which cannot be exceeded without voter approval. Combining both millages from the dependent District (1.123) and the principal taxing authority (7.299) totals **8.422** mills, which is **1.578** mills less than the **10 mill cap**.

CONCLUSION

The City Commission, acting in its capacity as the Board of Directors of the District, should adopt the attached Resolution which establishes a tentative millage and schedules the second and final public hearing.

JMG:PDW:JC

A handwritten signature in black ink, appearing to be 'JMG' followed by a stylized flourish.

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE TENTATIVE AD VALOREM MILLAGE OF 1.123 MILLS FOR FISCAL YEAR 2003/04 FOR THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, WHICH IS FOUR AND SIX TENTHS PERCENT (4.6%) GREATER THAN THE "ROLLED-BACK" RATE OF 1.074 MILLS, SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON THURSDAY, SEPTEMBER 18, 2003 AT 5:02 P.M.

WHEREAS, for the purpose of providing security services within the Normandy Shores neighborhood area, the Mayor and City Commission adopted Ordinance No. 93-2881 on October 20, 1993, which authorized the creation of the Normandy Shores Local Government Neighborhood Improvement District (District); and

WHEREAS, Section 200.065, Florida Statutes, has specified the method by which municipalities may fix the operating millage rate and adopt an annual budget for dependent taxing districts; and

WHEREAS, on July 30, 2003, the City Commission adopted Resolution 2003-25301 which set the proposed operating millage rate for the District at 1.123 mills for the purpose of providing security services within the District; and

WHEREAS, on September 4, 2003, a public hearing was held before the Mayor and City Commission, acting as the Board, to discuss the tentative operating millage rate and operating budget for the District for Fiscal Year (FY) 2003/04.

NOW THEREFORE, BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, that the Board hereby adopts the tentative operating millage rate of 1.123 mills for the District for FY 2003/04, which exceeds the "Rolled-back" rate of 1.074 mills by four and six tenths percent (4.6%), subject to a second public hearing scheduled on Thursday, September 18, 2003, at 5:02 P.M.

PASSED and ADOPTED this 4th day of September 2003.

ATTEST:

Chairperson of the District

Secretary to the District

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 8-29-03
City Attorney Date

**CITY OF MIAMI BEACH
NOTICE OF A SPECIAL
CITY COMMISSION MEETING**



NOTICE IS HEREBY given that a Special Commission Meeting will be held by the City Commission of the City of Miami Beach, on **Thursday, September 4, 2003**, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, at the times listed below.

at 5:01 p.m.:

**A PUBLIC HEARING ADOPTING THE PROPOSED
MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2003/04
FOR THE CITY OF MIAMI BEACH.**

at 5:02 p.m.:

**A PUBLIC HEARING ADOPTING THE PROPOSED
MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2003/04
FOR THE NORMANDY SHORES LOCAL GOVERNMENT
NEIGHBORHOOD IMPROVEMENT DISTRICT.**

In addition, the City Commission may discuss other City business at this meeting.

Inquiries concerning this meeting should be directed to the Office of Management and Budget at (305) 673-7510

Robert E. Parcher, City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).



Ad #202

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THURSDAY, AUGUST 21, 2003 The Herald

www.herald.com MB

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A resolution adopting the tentative operating budget for the Normandy Shores Local Government Neighborhood Improvement District for fiscal year 2003/04 subject to a second public hearing scheduled on Thursday, September 18, 2003 at 5:02 p.m.

Issue:


Shall the Mayor and City Commission, acting in its capacity as the Board of Directors for the Normandy Shores Local Government Neighborhood Improvement District, approve the tentative operating budget for the District for fiscal year 2003/04 in the amount of \$125,800 subject to a second Public Hearing scheduled on Thursday, September 18, 2003, at 5:02 P.M.?

Item Summary/Recommendation:

The Administration recommends adopting the tentative operating budget for the Normandy Shores Local Government Neighborhood Improvement District for Fiscal Year 2003/04 subject to a second Public Hearing scheduled on Thursday, September 18, 2003, at 5:02 P.M.

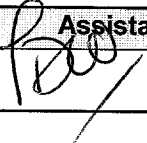
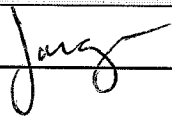
Advisory Board Recommendation:

Financial Information:

Source of Funds:  Finance Dept.		Amount	Account	Approved
	1	\$81,758	Normandy Shores District	
	2	44,042	General Fund	
	3			
	4			
	Total	\$125,800		

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM R7B2
DATE 9-4-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 4, 2003

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE TENTATIVE OPERATING BUDGET FOR FISCAL YEAR 2003/04 SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON THURSDAY, SEPTEMBER 18, 2003 AT 5:02 P.M.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution which establishes the tentative operating budget for the District for Fiscal Year (FY) 2003/04, subject to a second public hearing to be held on Thursday, September 18, 2003.

BACKGROUND

The Normandy Shores Local Government Neighborhood Improvement District, a dependent taxing district of its principal, the City of Miami Beach, was established in 1994 to provide continual 24-hour security to this gated community; FY 2003/04 represents its tenth year of operation.

It was established by Ordinance 93-2881, and has the authority "to levy an ad-valorem tax on real and personal property of up to two mills, provided that no parcel of property will be assessed more than \$500 annually for such improvements". However, on August 29, 2002, the Administration met with the Normandy Shores Local Government Neighborhood Improvement District representatives and agreed to eliminate the \$500 cap on the highest valued home in the District. The enabling legislation was adopted by the Commission on September 25, 2002. This ensures that the City's contribution from the General Fund remains at 35% of the operating budget of the District.

During FY 1998/99, the amount of annual funding to be provided by the City and the dependent status of the District were issues discussed by the Finance and Citywide Projects Committee. A determination was reached that the City would fund 35% of the annual cost of the operation of the community guard gate. This cost will eventually be funded from the golf course operation of the Normandy Shores Golf Course. The City Attorney's Office is reviewing the issue regarding the dependent status of the District. It was further agreed that the City would continue to supplement the District at current levels until both issues were resolved.

PROCEDURE

The operating millage and budget for this dependent special taxing district must be adopted in accordance with the Florida Statutes. This procedure requires that this Resolution be considered immediately after the tentative millage for Normandy Shores District has been adopted (See accompanying Agenda Item R7B1 for details).

ANALYSIS

The tentative operating budget for the District is as follows:

Revenues	
Ad Valorem Tax	\$ 81,758
City's General Fund	<u>44,042</u>
Total	<u>\$125,800</u>
 Expenses	
Security Service	\$107,200
Maintenance	<u>18,600</u>
Total	<u>\$125,800</u>

At the July 30, 2003 Commission meeting, the Mayor and Commission adopted Resolution 2003-25301, which set the proposed operating millage rate for the District at 1.123 mills. The tax levy at 1.123 mills will generate proceeds of \$81,758 of the \$125,800 operating budget to provide security services for the district. The difference between the revenues generated from such ad valorem tax proceeds and the total budgetary requirement of the District will be funded by the General Fund in the amount of \$44,042 or 35% of the total operating budget. The General Fund has funded this difference for each of the nine years since the District was established. The amount provided by the General Fund for this purpose in FY 2002/03 was \$42,000.

CONCLUSION

The City Commission, acting in its capacity as the Board of Directors of the Normandy Shores Local Government Neighborhood Improvement District, should adopt the attached Resolution which establishes a tentative operating budget and schedules the second and final public hearing.

JMG:PDW:JC



RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NORMANDY SHORES LOCAL GOVERNMENT
NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE
TENTATIVE OPERATING BUDGET FOR FISCAL YEAR 2003/04
SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON
THURSDAY, SEPTEMBER 18, 2003 AT 5:02 P.M.**

WHEREAS, for the purpose of providing security services within the Normandy Shores neighborhood area, the Mayor and City Commission adopted Ordinance No. 93-2881 on October 20, 1993, which authorized the creation of the Normandy Shores Local Government Neighborhood Improvement District (District); and

WHEREAS, for the purpose of providing security services within the District, a tentative budget has been developed to fund projected Fiscal Year (FY) 2003/04 operating expenses; and

WHEREAS, the tentative operating budget has been reviewed by the Board of Directors of the District (Board) to assure its content and scope; and

WHEREAS, on September 4, 2003, a public hearing was held before the Mayor and City Commission, acting as the Board, on the tentative operating millage rate and operating budget for the District for FY 2003/04.

NOW, THEREFORE BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, that the Board hereby adopts the tentative operating budget for the District for FY 2003/04 as summarized herein and listed below, subject to a second public hearing on Thursday, September 18, 2003 at 5:02 P.M.

Revenues	
Ad Valorem Tax	\$ 81,758
City's General Fund	<u>44,042</u>
Total	\$125,800
Expenses	
Security Service	\$107,200
Maintenance	<u>18,600</u>
Total	<u>\$125,800</u>

PASSED and ADOPTED this 4th day of September, 2003.

ATTEST:

Secretary to the District

Chairperson of the District

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

8-29-03
Date

**CITY OF MIAMI BEACH
NOTICE OF A SPECIAL
CITY COMMISSION MEETING**



NOTICE IS HEREBY given that a Special Commission Meeting will be held by the City Commission of the City of Miami Beach, on **Thursday, September 4, 2003**, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, at the times listed below.

at 5:01 p.m.:

**A PUBLIC HEARING ADOPTING THE PROPOSED
MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2003/04
FOR THE CITY OF MIAMI BEACH.**

at 5:02 p.m.:

**A PUBLIC HEARING ADOPTING THE PROPOSED
MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2003/04
FOR THE NORMANDY SHORES LOCAL GOVERNMENT
NEIGHBORHOOD IMPROVEMENT DISTRICT.**

In addition, the City Commission may discuss other City business at this meeting.

Inquiries concerning this meeting should be directed to the Office of Management and Budget at (305) 673-7510

Robert E. Parcher, City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, or to request information on access for persons with disabilities, or to request this publication in accessible format, or to request sign language interpreters, should contact the City Clerk's office at (305) 673-7411, no later than four days prior to the proceeding. If hearing impaired, contact the City Clerk's office via the Florida Relay Service numbers, (800) 955-8771 (TTY) or (800) 955-8770 (VOICE).



Ad #202

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THURSDAY, AUGUST 21, 2003 The Herald www.herald.com MB

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution calling for a Special Election on November 4, 2003 to submit to the voters a question asking whether sections of Article IX of the Related Special Acts should be amended as it relates to the City's Pension Fund for City Firefighters and Police for benefit enhancements and a Resolution repealing Resolution No. 2003-25296.

Issue:

Should the City submit to referendum the question of amending the language in Article IX as it relates to the City's Pension Fund for City Firefighters and Police Officers to enhance the benefits related to providing a "ten-years certain and life" benefit and expanding the definition of those individuals who can be appointed to be a beneficiary to receive optional survivor benefits? This question would replace the ballot question approved by Resolution No. 2003-25296 on July 30, 2003 that included language "contingent on approval of the enhanced funding agreement by the Florida Division of Retirement". The Division has said that they will not approve that funding agreement.

Item Summary/Recommendation:

The Administration recommends that the City Commission adopt the Resolution and authorize the Special Election to be held on November 4, 2003 for the purpose of submitting this question to the electorate, and repealing the resolution that included "contingent on approval of the enhanced funding agreement by the Florida Division of Retirement".

Advisory Board Recommendation:

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Financial Information:

Source of Funds: <div>Finance Dept.</div>		Amount	Account	Approved
	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

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Sign-Offs:

Department/Director	Assistant City Manager	City Manager
<i>J. C. C. [Signature]</i>	<i>McBustacardi</i>	<i>Jung</i>

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AGENDA ITEM R7C1 & R7C2
DATE 9-4-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 4, 2003

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER ARTICLE IX OF THE CITY'S RELATED SPECIAL ACTS REGARDING THE CITY'S PENSION FUND FOR CITY FIREFIGHTERS AND POLICE OFFICERS SHOULD BE AMENDED, ~~CONTINGENT ON APPROVAL OF THE ENHANCED FUNDING AGREEMENT BY THE FLORIDA DIVISION OF RETIREMENT,~~ TO ALLOW SUCH PENSION FUND MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE NORMAL FORM OF BENEFIT?

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REPEALING RESOLUTION NO. 2003-25296, CALLING FOR NOVEMBER 4, 2003 SPECIAL ELECTION FOR PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION AMENDING CITY OF MIAMI BEACH PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS REGARDING DESIGNATION OF BENEFICIARY AND NORMAL FORM OF BENEFIT.

ADMINISTRATION RECOMMENDATION:

Adopt the Resolutions.

ANALYSIS:

As a result of the Florida Division of Retirements intent to reject the June 30, 2003 Enhanced Funding Agreement by and between the City, the City Pension Fund for Firefighters and Police Officers, the Firefighters Relief and Pension Fund (175), the Police Officers' Relief and Pension Fund (185), the Fraternal Order of Police (FOP) and the International Association of Firefighters (IAFF) approved by the City Commission on July 2, 2003, the City is repealing the ballot question that was approved at the July 30, 2003 Commission meeting. This question included the language "contingent on approval of the Enhanced Benefit Funding Agreement". The City would like to re-state the ballot question, without the aforementioned language.

In addition, the Trustees for the City's Pension Fund for City Firefighter's and Police Officer's, the Trustees for the Firemen's Relief and Pension Fund, the Trustees for the Policemen's Relief and Pension Fund, the Fraternal Order of Police, and the International Association of Firefighters have requested that the Enhanced Funding Agreement approved by the City Commission at the July 2, 2003 meeting be voided. The Firemen's Relief and Pension Fund and the Policemen's Relief and Pension Fund have submitted subsequent funding letters (Attachments A & B).

Language to amend Article IX of the City Charter (Pension System for Disability and Retirement of Members of the Police and Fire Departments), providing for members to designate a beneficiary to receive optional survivor benefits and to provide a lifetime benefit for members with a minimum ten year payment period as the normal form of benefit, shall be submitted to referendum on November 4, 2003 and shall take effect upon approval of the electorate and Ordinance of the City Commission.

The City feels that this revision is part of the collective bargaining agreement and that a referendum is not required by Law. However, the Pension Board attorney has requested a referendum to determine the will of the voters.

CONCLUSION:

The Administration recommends that the City Commission repeal the Resolution approving the initial ballot question that included the language "contingent on approval of the Enhanced Benefit Funding Agreement by the Florida Division of Retirement, adopt a new Resolution to issue the ballot question to approve the stated amendment to Article IX of the City's Related Special Acts and authorize a special election to be held in the City of Miami Beach, Florida on November 4, 2003, for the purpose of submitting this question to the electorate.

JMG:MDB:TCA:pah

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**MIAMI BEACH FIREMEN'S RELIEF
AND PENSION FUND
2300 PINE TREE DRIVE
MIAMI BEACH, FLORIDA 33140**

August 18, 2003

Jorge M. Gonzalez, City Manager
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Re: Miami Beach Firemen's
Relief and Pension Fund

Dear Mr. Gonzalez:

This letter will confirm our understanding concerning the proposed amendment to the City's Pension Fund for City Firefighters and Police Officers. Said amendment would allow pension fund members to designate a beneficiary to receive optional survivor benefits and to provide a lifetime benefit for members with a minimum ten year payment period as the normal form of benefit.

As required by law, the cost of said amendments will be paid for by us to the extent that additional premium tax revenues are available therefor, but in no event more than the cost of said amendments.

This procedure will be followed on an annual basis, and no monies will be paid to participants until such time as the foregoing payments are first made.

Very truly yours,

**BOARD OF TRUSTEES OF THE
MIAMI BEACH FIREMEN'S RELIEF
AND PENSION FUND**

A handwritten signature in black ink, appearing to read "Lee Amato", is written over a horizontal line.

Lee Amato, Chairman

Attachment A

**MIAMI BEACH POLICEMEN'S RELIEF
AND PENSION FUND
999 11TH STREET
MIAMI BEACH, FLORIDA 33139**

August 18, 2003

Jorge M. Gonzalez, City Manager
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Re: Miami Beach Policemen's
Relief and Pension Fund

03 AUG 25 PM 1:28

Dear Mr. Gonzalez:

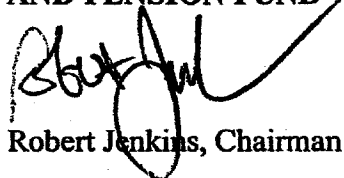
This letter will confirm our understanding concerning the proposed amendment to the City's Pension Fund for City Firefighters and Police Officers. Said amendment would allow pension fund members to designate a beneficiary to receive optional survivor benefits and to provide a lifetime benefit for members with a minimum ten year payment period as the normal form of benefit.

As required by law, the cost of said amendments will be paid for by us to the extent that additional premium tax revenues are available therefor, but in no event more than the cost of said amendments.

This procedure will be followed on an annual basis, and no monies will be paid to participants until such time as the foregoing payments are first made.

Very truly yours,

**BOARD OF TRUSTEES OF THE
MIAMI BEACH POLICEMEN'S RELIEF
AND PENSION FUND**


Robert Jenkins, Chairman

Attachment B

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER ARTICLE IX OF THE CITY'S RELATED SPECIAL ACTS REGARDING THE CITY'S PENSION FUND FOR CITY FIREFIGHTERS AND POLICE OFFICERS SHOULD BE AMENDED TO ALLOW SUCH PENSION FUND MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE NORMAL FORM OF BENEFIT?

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH:

SECTION 1.

In accordance with provisions of the Charter of the City of Miami Beach, Florida and the general laws of the State of Florida, a Special Election is hereby called and directed to be held in the City of Miami Beach, Florida, from 7:00 a.m. to 7:00 p.m. on Tuesday, November 4, 2003, for the purpose of submitting to the electorate the question as set forth hereinafter.

SECTION 2.

That the appropriate and proper Miami-Dade County election officials shall conduct the said Special Election hereby called, with Miami-Dade County's certification of the results of said Special Election being accepted by the City Commission. The official returns for each precinct shall be furnished to the City Clerk of the City of Miami Beach as soon as the ballots from all precincts have been tabulated and results duly accepted by said appropriate Miami-Dade County Officials.

SECTION 3.

Said voting precincts in the City of said Special Election shall be as established by the proper and appropriate Miami-Dade County Election Officials. All electors shall vote at the polling places and the voting precincts in which the official registration books show that the said electors reside. A list of the voting precincts and the polling places therein (subject to change by the Supervisor of Elections of Miami-Dade County, in accordance with the laws of Florida) is attached hereto as Exhibit A.

SECTION 4.

Registration of persons desiring to vote in the Special Election shall be in accordance with the general law of the State of Florida governing voter registration. Qualified persons may obtain registration forms to vote at the Office of the City Clerk, City Hall, 1700 Convention Center Drive, First Floor, Miami Beach, Florida 33139, during normal business hours, and at such other voter registration centers and during such times as may be provided by the Supervisor of Elections of Miami-Dade County. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and returning it to the Miami-Dade County Elections Office. All questions concerning voter registration should be directed to the Miami-Dade County Elections Office, 111 Northwest 1st Street, Floor 19, Miami, Florida 33130; Mailing Address: P.O. Box 012241, Miami, Florida 33101; Telephone: (305) 375-5553

SECTION 5.

Copies of the ballot question and proposed Related Special Acts text shall be made available at the office of the City Clerk from 8:30 a.m. to 5:00 p.m. each day, Saturdays, Sundays, and holidays excepted, no later than September 15, 2003.

SECTION 6.

Not less than thirty days' notice of said Special Election shall be given by publication in a newspaper of general circulation in Miami Beach, Miami-Dade County, Florida. Such publication shall be made at least once each week for four consecutive weeks next preceding said Special Election.

SECTION 7.

The notice of election shall be substantially in the following form:

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00 A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING

QUESTION:

**AMENDING FIREFIGHTER/POLICE PENSION PLAN RE: DESIGNATION
OF BENEFICIARY AND NORMAL FORM OF BENEFIT**

**SHALL THE CITY'S RELATED SPECIAL ACTS, ARTICLE IX,
REGARDING THE CITY'S PENSION FUND FOR FIREFIGHTERS AND
POLICE OFFICERS, BE AMENDED TO ALLOW SUCH PENSION FUND
MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL
SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR
MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE
NORMAL FORM OF BENEFIT?**

_____ YES

_____ NO

SECTION 8.

The official ballot to be used in the Special Election to be held on November 4, 2003, hereby called,
shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

THE CITY OF MIAMI BEACH, FLORIDA

NOTICE OF SPECIAL ELECTION, NOVEMBER 4, 2003.

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION HAS BEEN
CALLED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF
MIAMI BEACH, FLORIDA, AND WILL BE HELD IN SAID CITY FROM 7:00
A.M. UNTIL 7:00 P.M. ON THE 4TH DAY OF NOVEMBER, 2003, AT WHICH
TIME THERE SHALL BE SUBMITTED TO THE DULY REGISTERED AND
QUALIFIED VOTERS OF THE CITY OF MIAMI BEACH THE FOLLOWING
QUESTION:

**AMENDING FIREFIGHTER/POLICE PENSION PLAN RE: DESIGNATION
OF BENEFICIARY AND NORMAL FORM OF BENEFIT**

**SHALL THE CITY'S RELATED SPECIAL ACTS, ARTICLE IX,
REGARDING THE CITY'S PENSION FUND FOR FIREFIGHTERS AND
POLICE OFFICERS, BE AMENDED TO ALLOW SUCH PENSION FUND
MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL
SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR**

**MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE
NORMAL FORM OF BENEFIT?**

_____ YES

_____ NO

SECTION 9.

Absentee voters participating in said Special Election shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting.

SECTION 10.

That the City of Miami Beach shall pay all expenses for conducting this Special Election and will pay to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Supervisor of Elections of Miami-Dade County, Florida.

SECTION 11.

If any section, sentence, clause or phrase of the proposed ballot measure is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said ballot measure.

SECTION 12.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

MAYOR

CITY CLERK

JKO/ED
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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney



Date

Proposed Amendment to City of Miami Beach Related Special Acts for November 4, 2003 Special Election:

A. Proposed Ballot Question

AMENDING FIREFIGHTER/POLICE PENSION PLAN RE: DESIGNATION OF BENEFICIARY AND NORMAL FORM OF BENEFIT

SHALL THE CITY'S RELATED SPECIAL ACTS, ARTICLE IX, REGARDING THE CITY'S PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS, BE AMENDED TO ALLOW SUCH PENSION FUND MEMBERS TO DESIGNATE A BENEFICIARY TO RECEIVE OPTIONAL SURVIVOR BENEFITS, AND TO PROVIDE A LIFETIME BENEFIT FOR MEMBERS WITH A MINIMUM TEN YEAR PAYMENT PERIOD AS THE NORMAL FORM OF BENEFIT?

_____ YES

_____ NO

B. Proposed Text

* * *

[Available in City Clerk's Office by September 15, 2003.]

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REPEALING RESOLUTION NO. 2003-25296, CALLING FOR A NOVEMBER 4, 2003 SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION AMENDING CITY OF MIAMI BEACH PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS REGARDING DESIGNATION OF BENEFICIARY AND NORMAL FORM OF BENEFIT.

WHEREAS, on July 30, 2003 the Miami Beach City Commission passed its Resolution No. 2003-25296, calling for a November 4, 2003 Special Election to present to the City's voters a question amending the City's Pension Fund for Firefighters and Police regarding designation of beneficiary and normal form of benefit; and

WHEREAS, said Resolution is hereby repealed.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, that City of Miami Beach Resolution No. 2003-25296 calling for November 4, 2003 Special Election for the purpose of submitting to the electorate of the City of Miami Beach a question amending the City of Miami Beach Pension Fund for Firefighters and Police Officers regarding designation of beneficiary and normal form of benefit is hereby repealed in its entirety.

This resolution shall be effective immediately upon its passage.

PASSED and ADOPTED this _____ day of _____, 2003.

ATTEST:

MAYOR

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

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 8-25-03
City Attorney Date

